

**THE USE OF MANDATORY UNION DUES FOR POLITICS  
LESSONS FROM WASHINGTON STATE**

**written testimony by**

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## THE USE OF MANDATORY UNION DUES FOR POLITICS

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Mr. Chairman and distinguished Members of the Committee, I am Bob Williams, President of the Evergreen Freedom Foundation, a state-based research group in Washington state. Prior to becoming President of the Foundation, I served as a Certified Public Accountant, a government auditor for GAO, and I spent ten years in the state legislature.

I sit before you today because, seven years ago, teachers came to our door pleading for help. They wanted their union to stop taking money from their paychecks to pay for union politics against their will.

Seven years later, we have read more than 60,000 internal teacher union documents and have spent more than a million dollars in court. Our investigation has led to two lawsuits filed against the teacher union by our state attorney general, a Superior Court ruling of intentional and willful violation of teachers' rights, and more than a million dollars in penalties against the union, including the repayment to teachers of more than half-a-million dollars (Attachment 1).

And after all of this, we say: What the teacher union does to its members may be the last *institutionalized* civil rights violation remaining in our nation.

What we have uncovered substantiates that the National Education Association and its state affiliates are the most powerful political force in America today (Attachments 2 and 3). They have operations most political parties would envy: voter identification programs, voter lists and get-out-the vote efforts organized right down to the precinct level. They build strategic political plans and sit as a majority voice on decision-making committees for numerous ballot measures and candidates; they bankroll levy and initiative campaigns and organize to elect or defeat candidates at nearly every level of public office. I have documentary evidence to substantiate what I just said, but it is subject to a protective order. To fully grasp the depth of union politicking, you must subpoena the documents and records we have.

There would be nothing inherently wrong with this political machinery except for one thing: It is paid for from ***automatic*** and sizable annual deductions from teachers' paychecks. Union officials say most of the paycheck withdrawals are made for collective bargaining and related purposes. This is simply untrue.

I want to make it clear that we do not object to the teacher union being involved in politics. As long as education policy emanates from Congress and our state houses, the union must have a voice and a presence. And we are not disputing legitimate lobbying activities. But straight-forward politicking should be paid through voluntary contributions.

In Washington state, 91 percent of teachers refuse to voluntarily support the union's political action committee (Attachment 4), so the Washington Education Association, like other state affiliates of the NEA, uses mandatory dues.

You might be thinking that legal protections have been put in place to help these employees. That's what we used to think.

For each of the 75,396 members of the NEA state affiliate, \$683 in wages is automatically withheld as "dues" every year. Based on our investigation, not more than 20 percent of these dues are actually used for legitimate, chargeable union functions, such as collective bargaining, maintenance of the contract and grievances (Attachment 5).

This means *one union in one state has more than \$80 million to spend per two-year election cycle* (Attachment 5). This is about 10 times the amount spent by Republicans and Democrats in our state in the same period. But political parties receive their donations from **voluntary** sources, whereas the teacher union uses **mandatory** dues taken automatically from its members' paychecks.

Of the \$683 deducted from teacher paychecks in Washington state, the NEA takes \$126 per member per year. Yet, under oath in an arbitration hearing last year, an NEA representative was unable to identify a single direct service the union provides to individuals. My examination of the union books indicated that virtually everything the NEA did was political.

In November 2000, Robert Chanin, NEA General Counsel best summarized this situation when he said, "So you tell me how I can possibly separate NEA's collective bargaining from politics – you just can't...It's all politics."

O.K., so it's all politics. Then should teachers or any other union employee be *forced* to support the political choices and decisions made by its union? Don't teachers have a right to their own political voice? Well, not in practice, if they belong to the union.

Which brings us to the next point. What are teachers' options? (Attachment 6)

A teacher can become a religious objector, **if** union lawyers decide that his or her answers to invasive, personal questions qualify them for this exemption. These teachers can have their dues money sent to a charity, **if** the union approves of the charity.

Or, if a teacher desires to remain a union member, but disagrees with mandatory political paycheck assessments and political expenditures, that teacher can become an agency-fee payer. But he or she still pays almost exactly the same amount of dues. And though the teacher pays almost the same in dues, he or she loses 1) their right to vote on union issues, 2) the ability to run for a union office, **and** 3) their liability insurance.

Then, if the agency-fee payer teachers object to the union's calculations about how much of their union dues were spent on politics, the union holds an arbitration hearing, which is little more than a kangaroo court set up to intimidate and embarrass teachers (Attachment 6).

**Why does this occur?** Because union officials want political power, and they really have nothing to lose and everything to gain. First, there is little chance that the union will be caught engaging in illegal practices. There is an even smaller chance that they will be prosecuted if they are caught.

And even if this does occur, if union officials break the law and are caught and fined, the money to pay the fines won't come out of the union leaders' sizeable paychecks. Instead the penalties will be paid from members' paychecks, whose average salary is one-third to one-half that of their union bosses' salaries.

That means teachers, whose money was used without their consent in the first place, have to fork over more of their paycheck to pay the fines and court costs of the illegal actions by their union leaders.

Fines are just considered a cost of doing business for union officials. Using ill-gained funds from teachers increases the political power of the union bosses. And it's not hard to buy political power when you have direct access to the paychecks of 2.6 million hard-working American citizens, no scruples about helping yourself to their money, and the perfect alibi: "It's for teachers and children," they say.

The response of the teacher union to dissent has been chilling. They have resorted to name calling, misrepresenting teachers to colleagues, sent them threatening letters, and have even sued dissenting teachers. The Washington Education Association has sued our Foundation, taken out full-page ads against us in our state's major papers, and has sent out a directive to research our staff, our staff's families and our families' activities.

Again, much of the documentary evidence you need to see to substantiate my claims of the depth and breadth of the teacher union's political activities is subject to a protective order. You will have to subpoena these records.

Our experience compels us to ask Congress to consider five points before making any decisions. These points are listed in Attachment 7 in the information folder you have in front of you.

Robert Chanin, NEA General Counsel, once said in U.S. District Court, "It is well-recognized that if you take away the mechanism of payroll deduction, you won't collect a penny from these people, and it has nothing to do with voluntary or involuntary. I think it has to do with the nature of the beast, and the beasts who are our teachers....[They] simply don't come up with the money regardless of the purpose."

Well, he's entitled to his opinion, but we ask instead that you to review our brief request. We need to protect and honor the paychecks and political voices of some of the most important people in America – our teachers.

Thank you.

Submitted by  
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